

Enrolled House Bill 3407

Sponsored by Representatives GALLEGOS, KENY-GUYER; Representatives CLEM, LIVELY,
THOMPSON, WEIDNER

CHAPTER

AN ACT

Relating to the Traditional Health Workers Commission; creating new provisions; and amending
ORS 414.665.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 414.

SECTION 2. (1) There is established within the Oregon Health Authority the Traditional Health Workers Commission.

(2) The Director of the Oregon Health Authority shall appoint the following 19 members to serve on the commission:

(a) Ten members, at least six of whom must be appointed from nominees provided by the Oregon Community Health Workers Association, who represent traditional health workers, including at least one member to represent each of the following:

- (A) Community health workers;
- (B) Personal health navigators;
- (C) Peer wellness specialists; and
- (D) Doulas;

(b) One member who represents the Department of Community Colleges and Workforce Development;

(c) One member who is a community health nurse who represents the Oregon Nurses Association;

(d) One member who is a physician who represents the Oregon Medical Association;

(e) One member selected from nominees provided by the Home Care Commission;

(f) One member who represents coordinated care organizations;

(g) One member who represents a labor organization;

(h) One member who supervises traditional health workers at a community-based organization, local health department, as defined in ORS 433.235, or agency, as defined in ORS 183.310;

(i) One member who represents community-based organizations or agencies, as defined in ORS 183.310, that provide for the training of traditional health workers; and

(j) One member who represents a consumer of services provided by health workers who are not licensed by this state.

(3) In appointing members under subsection (2) of this section, the director shall consider whether the composition of the Traditional Health Workers Commission represents the ge-

ographic, ethnic, gender, racial, disability status, gender identity, sexual orientation and economic diversity of traditional health workers.

(4) The term of office of each member of the commission is three years, but a member serves at the pleasure of the director. Before the expiration of the term of a member, the director shall appoint a successor whose term begins on January 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the director shall make an appointment to become immediately effective for the unexpired term.

(5) A majority of the members of the commission constitutes a quorum for the transaction of business.

(6) Official action by the commission requires the approval of a majority of the members of the commission.

(7) The commission shall elect one of its members to serve as chairperson.

(8) The commission shall meet at times and places specified by the call of the chairperson or of a majority of the members of the commission.

(9) The commission may adopt rules necessary for the operation of the commission.

(10) A member of the commission is entitled to compensation and expenses as provided in ORS 292.495.

SECTION 3. Notwithstanding the term of office specified by section 2 of this 2013 Act, of the members first appointed to the Traditional Health Workers Commission:

(1) Six shall serve for a term ending January 1, 2015;

(2) Six shall serve for a term ending January 1, 2016; and

(3) Seven shall serve for a term ending January 1, 2017.

SECTION 4. ORS 414.665 is amended to read:

414.665. *[(1) The Oregon Health Authority, in consultation with the appropriate health professional regulatory boards as defined in ORS 676.160 and advocacy groups, shall develop and establish with respect to community health workers, personal health navigators, peer wellness specialists and other health care workers who are not regulated or certified by this state:]*

(1) In consultation with the Traditional Health Workers Commission, the Oregon Health Authority, for purposes related to the regulation of community health workers, personal health navigators, peer wellness specialists and doulas, shall adopt by rule:

(a) The criteria and descriptions of such individuals that may be utilized by coordinated care organizations; *[and]*

(b) Education and training requirements for such individuals[.];

(c) **Appropriate professional designations for supervisors of such individuals; and**

(d) **Processes by which other occupational classifications may be approved to supervise such individuals.**

(2) The criteria and requirements established under subsection (1) of this section:

(a) Must be broad enough to encompass the potential unique needs of any coordinated care organization;

(b) Must meet requirements of the Centers for Medicare and Medicaid Services to qualify for federal financial participation; and

(c) May not require certification by the Home Care Commission.

Passed by House July 6, 2013

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate July 7, 2013

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State